

ENTERED

January 06, 2025

Nathan Ochsner, Clerk

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION****IN RE:****EMERGENCY HOSPITAL SYSTEMS,
LLC,¹****DEBTOR.**§
§
§
§
§
§**CASE NO. 24-34683**

**ORDER GRANTING AMENDED MOTION FOR AUTHORITY TO PAY CERTAIN
PREPETITION CLAIMS OF CRITICAL VENDORS**

CAME ON FOR CONSIDERATION the *Debtor's Amended Emergency Motion for Authority to Pay Certain Prepetition Claims of Critical Vendors* (the "Motion").

Upon consideration of the Motion and the evidence and arguments of counsel presented at the hearing thereon, the Court finds that it has jurisdiction over this matter pursuant to 28 U.S.C. § 157 and 1334; the Court finds that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); the Court finds that the Debtor has shown good, sufficient, and sound business purposes and justification for the relief requested in the Motion, and that the relief requested in the Motion is in the best interests of the Debtor, its estate, and the creditors thereof; the Court finds that good cause exists to waive the fourteen-day stay imposed by the Bankruptcy Rules; the Court finds that proper and adequate notice of the Motion and the hearing thereon has been given and that no other or further notice is necessary; the Court finds that payment of the Critical Claims is vital to the Debtor's reorganization efforts; and the Court finds that good and sufficient cause exists for

¹ The Debtor in this chapter 11 case, along with the last four digits of its federal tax identification number, is Emergency Hospital Systems, LLC a/k/a Cleveland Emergency Hospital and d/b/a Cleveland Emergency Hospital. The Debtor's mailing address is 8901 FM 1960 Bypass Road, Humble, Texas 77338.

granting the relief requested in the Motion. Accordingly, the Motion should be, and hereby is, GRANTED. It is therefore:

1. ORDERED that the Debtor is hereby authorized and empowered but not directed, to pay all, a portion of, or none of the Critical Claims to the Critical Vendors identified in the attached Exhibit A attached to this Order on the condition that such Critical Vendors continue to provide goods or services to the Debtor on the ordinary and customary terms between such vendors and the Debtor; and it is further

2. ORDERED that nothing in this Order should be construed as a waiver by the Debtor of its right to contest any invoice of a Critical Vendor under applicable bankruptcy and non-bankruptcy law; it is further


3. ORDERED that neither this Order nor any payment to any Critical Vendor pursuant to this Order shall operate as: a) a waiver, release, determination, or satisfaction of any preference claims the Debtor or the Debtor's bankruptcy estate may have against such Critical vendors; b) an assumption or cure of any executory contract between the Critical Vendors and the Debtor or a determination under 11 U.S.C. § 365 with respect to any rights or obligations between such Critical Vendors or the Debtor; ; or c) an admission or determination that any amounts paid or claimed to be owed are administrative expenses; it is further

4. ORDERED that neither the entry of this Order nor the payment of a prepetition claim of a Critical Vendor operate as a substitute for proof of claim by any Critical Vendor nor does such payment relieve or satisfy the obligation by any Critical Vendor to file a proof of claim should such Critical Vendor believe it has a prepetition claim against the bankruptcy estate; it is further

5. ORDERED that this Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order; and it is further

6. ORDERED that this Order shall be effective immediately irrespective of any stay imposed by the Bankruptcy Rules or otherwise.

Signed: January 06, 2025



Eduardo V. Rodriguez
Chief United States Bankruptcy Judge

END OF ORDER

Order prepared by:

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/s/ Megan Rapp
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PROPOSED COUNSEL TO THE DEBTOR

EXHIBIT A

Vendor	Comment	Amount
Johnson & Johnson Health Care System Inc.	Implants	91,577.69
McKesson Corporation DC	Pharmacy	-69.77
Culinary Concessions LLC	Patient Food	25,218.85
McKesson Medical Surgical Inc.	Medical Supplies	75,429.69
<u>Rad Partners Gulf Coast</u>	<u>Radiology Services</u>	<u>\$70,000</u>
Total		<u>\$236,937.61</u>